



1 Title VII and discrimination/disparate treatment and failure to prevent discrimination under the  
2 Fair Employment and Housing Act (FEHA) on the grounds that there are no allegations of  
3 evidence Gildersleeve suffered an adverse action on the basis of his race.

4       2. Defendants Brust and Lauchner seek summary judgement of the Fair Employment  
5 and Housing Act claim alleged against them on the grounds that individuals cannot be liable for  
6 discrimination under FEHA and the hostile work environment claims lack legal and factual  
7 foundations because the few instances alleged against these Defendants are factually  
8 unsupported/contradicted or insufficient to create a hostile work environment.

9           Counsel for Defendants meaningfully met and conferred with Plaintiff's counsel prior to  
10 filing this motion. See. Declaration of Serena M. Warner ¶¶ 4-5.

11           This motion will be based on this Notice of Motion, the Memorandum of Points and  
12 Authorities, Separate Statement of Undisputed Material Facts, the Declarations of Serena M.  
13 Warner and Josh Calista, filed in support hereof, and exhibits attached thereto, as well as the  
14 complete files and records in this action, and on any other such matters as may be presented or  
15 submitted at or before the hearing of this motion.

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17 Dated: April 14, 2025

ANGELO, KILDAY & KILDUFF, LLP

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/s/ *Serena M. Warner*

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By: \_\_\_\_\_

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ETHAN J. ZERTUCHA  
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CITY OF SACRAMENTO, BRIAN  
BRUST, AND DAVID LAUCHNER

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